

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

NOLA C VAN DUYNE AND
LEO VAN DUYNE,

Plaintiffs,

v.

ENCORE MEDICAL, L.P.; ENCORE
ORTHOPEDICS, INC.; and OSTEOIMPLANT
TECHNOLOGY, INC.,

Defendants.

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) Case No. 07 C 6857
)
) Judge Moran
) Magistrate Judge Nolan
)
) JURY DEMAND REQUESTED
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NOTICE OF FILING

TO Theodore J. Bednarek, Attorney for Plaintiff
63 W. Jefferson St., #203, Joliet, Illinois 60432

Wayne B. Giampietro, Esq., Kevin J. Berrill, Esq., Christopher N. Ackeret, Esq.
Stitt, Klein, Daday, Aretos & Giampietro, LLC, 2550 W. Golf Rd.
Rolling Meadows, IL 60008

PLEASE TAKE NOTICE THAT ON THIS 10th day of July, 2008, we filed with the Clerk of the U. S. District Court, 219 S. Dearborn St., Chicago, IL 60604, DEFENDANTS, ENCORE MEDICAL, L.P. AND ENCORE ORTHOPEDICS, INC.'S n/k/a ENCORE MEDICAL, L.P., Affidavit of Scott Way, a copy of which is attached herewith.

Respectfully submitted,

SEGAL McCAMBRIDGE SINGER & MAHONEY, LTD.

/s Paige Norian Gates
One of the Attorneys for Defendants,
Encore Medical, L.P. and Encore Orthopedics, Inc.
n/k/a Encore Medical, L.P.

Jeffrey Singer, Esq. ARDC No. 2620510
Paige Norian, Esq. ARDC No. 6285061
Segal, McCambridge Singer & Mahoney, Ltd.
Sears Tower, 233 S Wacker Drive, Suite 5500
Chicago, Illinois 60606
(312) 645-7800

PROOF OF SERVICE

The undersigned, being first duly sworn on oath, depose and state that a copy(ies) of the above-mentioned pleading(s) was/were served upon all counsel of record listed via electronic court filing service, at or before the hour of 7:00 p.m. on the, on this **10th day of July, 2008.**

/s Paige Norian Gates

Under penalties as provided by law pursuant to 735 ILCS 5/1-109,
I certify that the statements set forth are true and correct.